

**Federal Defenders
OF NEW YORK, INC.**

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Southern District of New York
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July 21, 2016

By ECF

Hon. Judge Edgardo Ramos
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Ahmed Mohammed El Gammal
15 Cr. 588 (ER)

Hon. Judge Ramos:

On July 13, 2016, the United States Attorney's Office served upon the defendant Notice of Intent to use Foreign Intelligence Surveillance Act Information ("FISA Notice") at the September 19, 2016, trial of our client Mr. El Gammal. Mr. El Gammal was arrested on August 27, 2015 and presented in this district on September 16, 2015.

We write to inform the Court of our intention to file motions in response to the government's FISA Notice. We intend to move (1) to compel notice and discovery of the searches, seizures, and surveillance techniques employed in this case and their legal basis; and (2) to compel disclosure of the FISA order and application (and related materials) associated with the evidence as to which the government has provided FISA Notice. We also reserve the right to move to suppress any evidence obtained or derived from FISA surveillance, or obtained or derived from any other unlawful search, seizure, or surveillance technique that the government has not disclosed. The defense is prepared to proceed expeditiously and to file (1) and (2) by August 5, 2016.

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To the extent FISA Notice motion practice impacts the trial date in this case, we are prepared to address those matters in Court.

Thank you for your consideration of our request.

Respectfully submitted,

/s/

Shroff/Habib/Miron
Assistant Federal Defenders
212-417-8700

SPS/gv

cc: AUSAs Quigely, Surratt, Tekeei
Mr. Ahmed Mohammed El Gammal